

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on May 21, 2007, in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:05 PM. Commissioners Robert Bourque and David Arsenault were present.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

II. NEW APPLICATIONS

Friends of the Senior Center for Special One Day All Alcoholic Beverages license for Friends Annual Meeting from 11AM to 3:30PM on May 31, 2007 at 14 Wallace Ave.

Present was Jon Ricciuti. Application approved 3-0.

Friends of the Senior Center for Special One Day All Alcoholic Beverages license for a Birthday Party from 5PM to 11PM on June 16, 2007 at 14 Wallace Ave.

Present was Jon Ricciuti. Application approved 3-0.

Friends of the Senior Center for Special One Day All Alcoholic Beverages license for an ARC Dance and Sports Banquet from 5PM to 10PM on June 21, 2007 at 14 Wallace Ave.

Present was Jon Ricciuti. Application approved 3-0.

Friends of the Senior Center for Special One Day All Alcoholic Beverages license for a Civic Day Lunch from 12 Noon to 4PM on June 29, 2007 at 14 Wallace Ave.

Present was Jon Ricciuti. Application approved 3-0.

Ann Veilleux for Care-A-Van Transport, Inc. 214 Rear Lunenburg St. for Livery Service license (expansion to 10 vehicles).

Applicant not present. Application tabled 3-0.

Mr. William Conlin for Conlin's Corner, 110 Cleghorn St., for Alteration of Premises (six café tables on the sidewalk at 110 Cleghorn St.)

Present was William Conlin. Application was accepted and sent to a public hearing on June 4, 2007 3-0. The Board requested that, for the hearing, Mr. Conlin submit: 1. A revised diagram of the proposed outdoor seating area indicating specific area measurements and 2. Definitive language describing the expanded license premise for the wording on the license 3. Written approval of sidewalk use from the Building Department and DPW.

Mr. Conlin was reminded by the clerk that he must pick up a copy of the legal ad advertising the public hearing in the City Clerk's office on Friday and mail it by certified mail to the abutters.

The Boulder, 886 Main St. for Alteration of Premises (expand to adjacent first floor retail space).

Chairman Judge recused himself and left the room.

Present was Christopher Bujold. Application was accepted and sent to a public hearing on June 4, 2007 2-0.. Mr. Bujold was directed by the Board to obtain written approval of the project from the Fire Department and the Building Department.

Mr. Bujold was reminded by the clerk that he must pick up a copy of the legal ad advertising the public hearing in the City Clerk's office on Friday and mail it by certified mail to the abutters.

Chairman Judge returned to the room.

Mr. Joe Bastis and Mr. Richard Gonzales to discuss the roped off areas for beer consumption regarding the One Day Licenses previously issued for Joe Bastis/Central Services Inc. for 5/25/07 and 5/31/07. The City has allowed for the street to be shut down and a review of the roped off area is requested.

Present were Joseph Bastis and Richard Gonzalez. They presented a diagram of the area they wish to rope off for beer consumption. By a vote of 3-0, the licensed area was revised to the following: For Friday Night cruises on May 18th, 25th and 31st from 5PM to 9PM in front of 318-348 Broad St. including the alley between 318-340 Broad Street and to include all the property at 339 Broad Street and the name on the license was changed to "Joe's Dining/NE Rod & Custom" to match that on the liquor license liability policy.

Applicants were instructed to bring in a copy of the Street Closing Permit prior to release of the new license.

III. HEARING

Janet Potenzzone d/b/a J.D.'s Variety, 259 Franklin Rd. for Transfer of Wine and Malt Beverages Package Store License to Radhiyas, Inc., Sona J. Panchal, Manager.

Commissioner Arsenault recused himself and left the room.

Present were Attorney James Donovan, Mr. and Mrs. Panchal and Ms. Janet Potenzzone.

Hearing held. Application reviewed. No one spoke in favor of or in opposition to the transfer.

Hearing closed and transfer approved 2-0.

Commissioner Arsenault returned to the room.

IV. CONTINUED SUMMONS HEARING

Cynthia Allaire, Manager, Karma at Bourbon Street, 14, 16, 18 Putnam St. for: FPD Reports 07-9925 and 07-9927; Alleged violation of CMR 204:205-Permitting a disturbance on premise; Alleged violation of MGL Ch. 138 s. 12A-Not conducting business as licensed, e.g. Restaurant; Alleged violation of MGL Ch. 138 s. 1-View of interior; Obtaining an Entertainment Permit for a DJ after false testimony to the Licensing Board. No one was present to represent Karma at Bourbon Street.

The Clerk stated that she had received a telephone call this afternoon from a woman who identified herself as Attorney Pineiro's secretary stating that the Attorney could not be present at the hearing tonight and requested a continuance to June 4, 2007. She was asked to put this request in writing and fax it to the Clerk's office. A fax was not received by the start of tonight's meeting. The Clerk was instructed to call Attorney Pineiro's office tomorrow and inquire if his office did in fact call to continue the hearing. The Clerk was instructed to have the FPD deliver a notice to Ms. Allaire stating that the hearing will be held on June 4, 2007 regardless of whether she or her attorney are present and that it will not be continued again.

Hearing continued to June 4, 2007 3-0.

(Note: The Clerk did call Attorney Pineiro's office on May 22, 2007 and confirmed that the call did come from his secretary. The fax requesting the continuance was again requested and received on May 22, 2007.)

V. OTHER

- Taxi driver applications

Approved: John W. Reynolds, Miranda Tozier-Robbins, Donald Prichard

Held without approval: Theresa Riggins – Need MA driving record and NH CORI.

- Any other matter that may come before the Commission as time permits
The Clerk was instructed to summons in KRB, Inc. (Log Cabin) for gambling on premises.

The meeting adjourned at 7:50 PM.

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

William A. Judge

Robert A. Bourque

David F. Arsenault